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January 18, 2005

## BY HAND DELIVERY

Mr. Lawrence H. Norton Office of the General Counsel Federal Election Commission 999 E Street, NW Washington, DC 20463

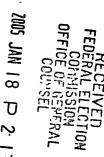
Re: MUR 5617

Dear Mr. Norton:

On behalf of Kerry-Edwards 2004, Inc., this letter is submitted in response to the complaint filed by the Rusk County Republican Party ("the Complaint") and subsequently labeled MUR no. 5617. The Complaint should be immediately dismissed.

The Commission may find "reason to believe" only if a complaint sets forth sufficient specific facts, which, if proven true, would constitute a violation. See 11 C.F.R. §§ 111.4(a), (d) (2004). Unwarranted legal conclusions from asserted facts or mere speculation will not be accepted as true, and provide no independent basis for investigation. See Commissioners Mason, Sandstrom, Smith and Thomas, Statement of Reasons, MUR 4960 (Dec. 21, 2001).

The Rusk County Republican Party alleges that several yard signs without disclaimers were erected by the Rusk County Democratic Party. The complaint does not allege any involvement by Respondent in the display of these signs, nor does Respondent have any knowledge of the circumstances under which these signs were erected.



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Respondent respectfully requests that the Commission dismiss the complaint.

Very truly yours,

Marc E. Elias

Counsel to Kerry-Edwards 2004, Inc.